

ADAM H. SPRINGEL, ESQ.
Nevada Bar No. 7187
L. COURTNEY KLUEVER, ESQ.
Nevada Bar No. 10909
SPRINGEL & FINK LLP
10655 Park Run Drive, Suite 275
Las Vegas, Nevada 89144
Telephone: (702) 804-0706
Facsimile: (702) 804-0798
E-Mail: aspringel@springelfink.com
ckluever@springelfink.com

Attorneys for Defendant/Counter-Claimant/Third-Party Plaintiff
TAYLOR WALES

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

THE BANK OF NEW YORK MELLON FKA
THE BANK OF NEW YORK, AS TRUSTEE FOR
THE CERTIFICATEHOLDERS OF CWALT,
INC. ALTERNATIVE LOAN TRUST 2005-23CB
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-23CB,

Plaintiff,

vs.

TAYLOR WALES, FIRST CALIFORNIA
MORTGAGE COMPANY, LOS PRADOS
COMMUNITY ASSOCIATION,

Defendants.

TAYLOR WALES,

Counter-Claimant,

vs.

THE BANK OF NEW YORK MELLON FKA
THE BANK OF NEW YORK, AS TRUSTEE FOR
THE CERTIFICATEHOLDERS OF CWALT,
INC. ALTERNATIVE LOAN TRUST 2005-23CB

Case No.: 2:17-cv-02896-JCM-GWF

**STIPULATION AND ORDER TO EXTEND
DISPOSITIVE MOTION DEADLINE**

[FOURTH REQUEST]

1 MORTGAGE PASS-THROUGH
2 CERTIFICATES, SERIES 2005-23CB,

3 Counter-Defendant.

4 TAYLOR WALES,

5 Third-Party Plaintiff,

6 vs.

7 RUGGED OAKS INVESTMENTS, LLC,

8 Third-Party Defendant.
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11 Defendant/Counter-Claimant/Third-Party Plaintiff TAYLOR WALES (“Wales”), and
12 Plaintiff/Counter-Defendant The Bank of New York Mellon fka The Bank of New York, as Trustee for
13 the Certificateholders of CWALT, Inc. Alternative Loan Trust 2005-23CB Mortgage Pass-Through
14 Certificates, Series 2005-23CB (“BoNYM”) stipulate to extend the dispositive motion deadline as to
15 Wales’ counterclaim against BoNYM. This is the fourth request to extend the dispositive motion deadline
16 set by the stipulation and order to extend discovery filed on August 23, 2018 [ECF No. 54] and counsel
17 for the stipulating parties do not anticipate that any additional extensions will be necessary. The current
18 deadline is set for March 22, 2019. Third-Party Defendant Rugged Oaks Investments, LLC filed a Motion
19 to Dismiss Wales’ Third-Party Complaint on March 19, 2019 [ECF No. 74] that Wales will timely oppose.
20 Wales and BoNYM stipulate and agree to an additional 60-day extension of the deadline to file dispositive
21 motions. The new deadline for dispositive motions is **May 20, 2019**. The new deadline for the proposed
22 joint pretrial order is **June 24, 2019**.

23 Good cause exists to grant the extension. This court previously dismissed BoNYM's claims based
24 upon a statute of limitations issue. [ECF No. 66]. Wales has since been evaluating the merits of his
25 counterclaims against BoNYM and Rugged Oaks and the parties remain engaged in settlement
26 negotiations. Undersigned counsel of the law firm of Springel & Fink LLP recently took over
27 management of this action and needed time to become familiar with the facets of the parties’ respective
28 claims. Extending the deadline for dispositive motions under the circumstances will allow the preserve

1 both party and judicial resources by preventing the commencement of a trial or appeal when the action
2 may be otherwise resolved. This request is made in good faith and not made for purposes of delay.

3 Dated: March 22, 2019.

4 **SPRINGEL & FINK LLP**

AKERMAN LLP

5 /s/ Adam H. Springel
6 ADAM H. SPRINGEL, ESQ.
7 Nevada Bar No. 7182
8 L. COURTNEY KLUEVER, ESQ.
9 Nevada Bar No. 10909
10 10655 Park Run Drive, Suite 275
11 Las Vegas NV, 89144
12 *Attorneys for Taylor Wales*

/s/Tenesa Powell
ARIEL E. STERN, ESQ.
Nevada Bar No. 8276
TENESA POWELL, ESQ.
Nevada Bar No. 12488
1635 Village Center Circle, Suite 200
Las Vegas, Nevada 89134
Attorneys for The Bank of New York Mellon

13
14 **ORDER**

15 **IT IS SO ORDERED:**

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17 UNITED STATES MAGISTRATE JUDGE

18 DATED: 3/26/2019
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